

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 22-28 are newly added. Claims 1-28 are now pending in the application. The rejections are respectfully submitted to be obviated in view of the remarks presented herein.

Drawing Objections

The drawings were objected to under 37 CFR 1.83(a) for not showing every feature of the invention specified in the claims. It is respectfully submitted that every feature of the invention specified in the claims is shown in the figures. Figure 2 shows “[a] control apparatus for a separation type terminal having a master unit and a slave unit in a W-CDMA WLL system,” as recited in claim 1. In addition, page 5, lines 7-9 of the specification describes Figure 2 as “a block diagram illustrating an example of a register control apparatus between a master unit 1 and a slave unit 2 for a W-CDMA WLL separation type terminal.” Therefore, an apparatus for a W-CDMA WLL system is shown in the figures.

The drawings were also objected to under 37 CFR 1.83(a) for not showing “period transmission of control instructions, time slots, data and instructions, the operation of slave unit as controlled by the microprocessor, decoding logic, framing logic, and other necessary details as described in the specification,” as recited in the Office Action. However, it is respectfully submitted that Figure 2 shows a master unit 1 coupled to a slave unit 2 through a transmission path 25. The master unit 1

comprises a microprocessor 21 coupled to a decoding logic 22, coupled to mirror registers 23, coupled to a framing logic 24. The slave unit 2 comprises slave registers 26 coupled to a framing logic 27. The framing logic 24 periodically transmits control instructions (specification, page 5, lines 17-18), and the framing logic 27 periodically transmits data based on a time slot of the framing logic 27 (specification, page 6, lines 2-4). Further, “[t]he slave unit 2 operates when the microprocessor 21 writes data into the slave registers 26” (specification, page 6, lines 6-7). This process is described in more detail in the specification on page 6, line 8, through page 8, line 9. Figure 2 shows microprocessor 21 coupled to slave unit 2. Control and transmission of data occur through this communication path in this system. Therefore, the drawings show every feature of the invention specified in the claims as required under 37 CFR 1.83(a), as well as features essential for a proper understanding of the invention.

35 U.S.C. § 112, First Paragraph

The content of the specification was noted as being replete with terms which are not clear, concise and exact. The first paragraph of 35 U.S.C. § 112, states that “[t]he specification shall contain a written description of the invention ... to enable any person skilled in the art ... to make and use the same....” Descriptive matter may be inherently present in a specification if one skilled in the art would necessarily recognize such a disclosure. *Continental Can Co. USA v. Monsanto Co.*, 948 F.2d 1264, 1268, 20 USPQ2d 1746, 1749 (Fed. Cir. 1991). However, the applicant may be his own lexicographer, but any special meaning assigned to a term “must be sufficiently clear in the specification that any departure from common usage would be so understood by a person of experience in the field of the invention.” *Multiform Desiccants Inc. v. Medzam Ltd.*, 133 F.3d 1473, 1477, 45 USPQ2d 1429, 1432 (Fed. Cir. 1998).

Applicant’s use of terminology throughout the specification satisfies the requirements of 35 U.S.C. § 112, First Paragraph, and would enable one of ordinary skill in the art to make or use the invention. The terminology used throughout the specification is both clear in its meaning and described such as to enable any person skilled in the art to make or use the invention.

35 U.S.C. § 112, Second Paragraph

Claims 1-21 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The rejection is respectfully traversed.

The second paragraph of 35 U.S.C. § 112, sets forth two separate requirements. First, the claims must set forth the subject matter that applicant regards as his invention. Second, the claims must particularly point out and distinctly define the metes and bounds of the subject matter that will be protected by the patent grant. Further, when the specification states the meaning that a term in the claim is intended to have, the claim is examined using that meaning, in order to achieve a complete exploration of the applicant's invention and its relation to the prior art. *In re Zletz*, 893 F.2d 319, 13 USPQ2d 1320 (Fed. Cir. 1989).

Regarding the phrase “basic type,” the phrase “basic type” does not appear in any of claims 1-21.

Regarding the phrase “separation type,” “separation type” has been used throughout the specification and claims to refer to a “separation type terminal.” Applicant has defined in the specification, an embodiment of a separation type terminal in a wireless communication system. The claim language is consistent with the meaning given the phrase in the specification. Additionally, “if the language used by [A]pplicant satisfies the statutory requirements of 35 U.S.C. 112, second paragraph, but the Examiner merely wants the [A]pplicant to improve the clarity or

precision of the language used, the claim[s] must not be rejected under 35 U.S.C. 112, second paragraph.” (MPEP 2173.02) Reconsideration and withdrawal of the rejection under § 112, second paragraph, are respectfully requested.

35 U.S.C. § 102(a) – PM6341 E1XC E1 Framer/Transceiver Data Sheet

Claims 1-21 stand rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by PM6341 E1XC (E1 Framer/Transceiver Data Sheet Issue 8: June 1998, by PMC-Sierra, Inc.) (hereinafter “PM6341”). The rejection is respectfully traversed.

Regarding claims 1 and 6, Applicant’s claimed invention relates to a control apparatus in a communication system. An embodiment of Applicant’s claimed control apparatus comprises “a mirror register ... a slave register ... and a transmission path, wherein data is transmitted between the mirror register and the slave register through the transmission path so that the mirror register and the slave register data are the same,” as recited in claim 1. Another embodiment of Applicant’s claimed control apparatus comprises “a master unit having a mirror register; a slave unit having a slave register and controlled by the master unit; and a transmission path for implementing a data transmission and receiving operation between the master unit and the slave unit,” as recited in claim 6.

Applicant respectfully submits that the disclosure of PM6341 does not anticipate the claimed invention. PM6341 refers to an E1 framer/transceiver CMOS package device and provides specifications for this device. There is no teaching of a

control apparatus comprising a mirror register and a slave register as claimed in claims 1 and 6. Further, PM6341 does not teach that “data is transmitted between the mirror register and the slave register through the transmission path so that the mirror register and the slave register data are the same,” as recited in claim 1, nor does PM6341 teach “a transmission path for implementing a data transmission and receiving operation between the master unit and the slave unit,” as recited in claim 6. Examiner asserts that “[a] multitude of data and control registers, internal to the E1 device, ‘mirror’ the register contents at both ends of the transmission line. These registers can operate in ‘master’ and/or ‘slave’ modes” (Office Action, paragraph 10). However, PM6341 does not disclose data transmission between a mirror register in a master unit and a slave register in a slave unit. Hindsight based on the teaching of Applicant’s invention is impermissible.

At least by virtue of the aforementioned differences, Applicant’s claims 1 and 6 distinguish over PM6341. Applicant’s claims 2-5 and 7-19 depend from claims 1 and 6, respectively, and therefore define patentable subject matter for at least the aforementioned reasons as well as for their additionally recited features. Reconsideration and withdrawal of the rejection of claims 1-19 under § 102(a) are respectfully requested.

Regarding claim 20, Applicant’s claimed invention relates to a method of controlling a slave unit in a communication system. An embodiment of Applicant’s claimed method of controlling comprises “transmitting data between a master and the slave unit such that data contained in the master unit is a duplicate of data

contained in the slave unit, the slave unit being located remotely from the master unit; and controlling the slave unit with the master unit based on data stored in the master unit and received from the slave unit,” as recited in claim 20.

Applicant respectfully submits that the disclosure of PM6341 does not anticipate the claimed invention. There is no teaching of transmitting data between a master unit and a slave unit. Further, PM6341 does not teach “controlling the slave unit with the master unit based on data stored in the master unit and received from the slave unit,” as recited in claim 20. Examiner also asserts that “[a] multitude of data and control registers, internal to the E1 device, ‘mirror’ the register contents at both ends of the transmission line. These registers can operate in ‘master’ and/or ‘slave’ modes.” However, PM6341 does not disclose data transmission between a mirror register in a master unit and a slave register in a slave unit. Again, hindsight based on the teaching of Applicant’s invention is impermissible.

At least by virtue of the aforementioned differences, Applicant’s claim 20 distinguishes over PM6341. Applicant’s claim 21 depends from claim 20, and therefore defines patentable subject matter for at least the aforementioned reasons as well as for their additionally recited features. Reconsideration and withdrawal of the rejection of claim 20 under § 102(a) are respectfully requested.

Newly Added Claims

Claims 22-28 are newly added by this Amendment and believed to be in condition for allowance.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned agent, Lenny R. Jiang, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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